

EXHIBIT A



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Ex Parte Reexamination Filing Data - March 31, 2009

1. Total requests filed since start of *ex parte* reexam on 07/01/81 9893¹
 - a. By patent owner 3603 36%
 - b. By other member of public 6125 62%
 - c. By order of Commissioner 165 2%

2. Number of filings by discipline
 - a. Chemical Operation 2873 29%
 - b. Electrical Operation 3404 34%
 - c. Mechanical Operation 3456 35%
 - d. Design Patents 160 2%

3. Annual Ex Parte Reexam Filings

Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.	Fiscal Yr.	No.
1981	78 (3 mos.)	1989	243	1997	376	2005	524
1982	187	1990	297	1998	350	2006	511
1983	186	1991	307	1999	385	2007	643
1984	189	1992	392	2000	318	2008	680
1985	230	1993	359	2001	296	2009	308 YTD
1986	232	1994	379	2002	272		
1987	240	1995	392	2003	392		
1988	268	1996	418	2004	441		

4. Number known to be in litigation.....2992.....30%

5. Decisions on requests 9525
 - a. No. granted.....8754.....92%
 - (1) By examiner 8641
 - (2) By Director (on petition) 113
 - b. No. denied 771.....8%
 - (1) By examiner 736
 - (2) Reexam vacated 35

¹Of the requests received in FY 2009, 26 requests have not yet been accorded a filing date, and preprocessing of 12 requests was terminated for failure to comply with the requirements of 37 CFR 1.510. See Clarification of Filing Date Requirements for *Ex Parte* and *Inter Partes* Reexamination Proceedings, Final Rule, 71 Fed. Reg. 44219 (August 4, 2006).

6.	Total examiner denials (includes denials reserved by Director).....				849
	a. Patent owner requester			444	52%
	b. Third party requester			405	48%
7.	Overall reexamination pendency (Filing date to certificate issue date)				
	a. Average pendency			24.8 (mos.)	
	b. Median pendency			19.3 (mos.)	
8.	Reexam certificate claim analysis:	Owner Requester	3 rd Party Requester	Comm'r Initiated	Overall
	a. All claims confirmed	22%	27%	12%	25%
	b. All claims cancelled	8%	13%	21%	11%
	c. Claims changes	70%	60%	67%	64%
9.	Total ex parte reexamination certificates issued (1981 – present)				6743
	a. Certificates with all claims confirmed			1681	25%
	b. Certificates with all claims canceled			756	11%
	c. Certificates with claims changes			4306	64%
10.	Reexam claim analysis – requester is patent owner or 3 rd party; or Comm'r initiated.				
	a. Certificates – PATENT OWNER REQUESTER				2790
	(1) All claims confirmed			619	22%
	(2) All claims canceled			228	8%
	(3) Claim changes			1943	70%
	b. Certificates – 3 rd PARTY REQUESTER				3806
	(1) All claims confirmed			1044	27%
	(2) All claims canceled			497	13%
	(3) Claim changes			2265	60%
	c. Certificates – COMM'R INITIATED REEXAM				147
	(1) All claims confirmed			18	12%
	(2) All claims canceled			31	21%
	(3) Claim changes			98	67%